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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,177	01/29/2001	Timothy J. Young	10030	9720

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EXAMINER

PHAM, MINH CHAU

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 11/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/772,177

Applicant(s)

YOUNG ET AL.

Examiner

Minh-Chau Pham

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 22 September 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Drawings

1. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on September 22, 2002 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 9, 14, and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Moe et al. (US 5,659,851).

Moe et al. disclose applicants' claimed invention, specifically teaching a web tracking apparatus (10) and a method of web tracking adjustment, for guiding a moving web/photoconductor loop (12) in a predetermined path of travel relative to a stationary frame (84)(col. 7, lines 6-8), comprising:

a gimbaled steering roller (14) having a lateral constraint (61A)(62A);

a means for biasing (80) in a gimbal direction (56);

a means for adjusting (94)(96);

a roller shaft (59); and

a stop (88)(col. 9, lines 2-4).

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4. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Morse (US 3,913,813: ref. 4 in form PTO-1449).

Morse discloses applicants' claimed invention, specifically teaching a method of web tracking adjustment, for guiding a moving web (15) in a predetermined path of travel relative to a stationary frame (53), comprising:

biasing (61) a steering roller (11) in a gimbal direction (20);

adjusting the bias (60)(70)(72);

mounting the steering roller to the stationary frame (53)(col. 6, lines 1-3); and

pivoting the steering roller about a caster axis (30)(col. 6, lines 15-20).

5. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Morse et al. (US 3,608,796).

Morse et al. disclose applicants' claimed invention, specifically teaching a method of web tracking adjustment, for guiding a moving web (16) in a predetermined path of travel relative to a stationary frame (14), comprising:

biasing (40)(52) a steering roller (2) in a gimbal direction (34);

adjusting the bias (36)(44)(46);

mounting the steering roller to the stationary frame [see Fig. 1, where (12) mounts (2) to (14)]; and

pivoting the steering roller about a caster axis (32).

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Allowable Subject Matter

6. Claims 3-7, 10-13, 15, and 19-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken as a whole, fails to disclose or render obvious a method of web tracking adjustment or a web tracking apparatus comprising all the limitations claimed, including an edge guide that is axially slidable as recited in claims 3, 15, and 19, an end two of the spring that is mounted to one end of the steering roller such that the spring applies a rotational force as recited in claims 4 and 11, and a shaft that is mounted to the housing by spring flexures as recited in claims 7, 10, and 20.

Response to Arguments

8. Applicants' arguments filed September 22, 2002 have been fully considered but they are not persuasive. Moe et al. (US 5,659,851) discloses biasing the steering roller (14) in the gimbal direction (56) through the use of springs (80). Morse (US 3,913,813) discloses biasing the steering roller (11) in the gimbal direction (20) through the use of the resilient wire (61). Morse et al. (US 3,608,796) discloses biasing the steering roller (2) in the gimbal direction (34) through the use of the flexure arm (40) and the U-shaped spring bracket (52). Moe et al., Morse, and Morse et al., all teach the pivoting of the steering roller about the gimbal axis.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau Pham whose telephone number is (703) 305-0766. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on (703) 308-2688. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

pmc
November 21, 2002

Kathy Matecki
KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600